



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Second day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.3340 of 2015

1 MAHENDRAN
2 SATHIS
3 ANANTH

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE SUB INSPECTOR OF POLICE
RAYAPPANPATTI POLICE STATION,
THENI DISTRICT.
CR. NO. 43/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.KARTHIK Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Section 379 IPC and Section 21(iv)(1)(A) of Tamil Nadu Mines and Minerals Act in Crime No. 43 of 2015 seek anticipatory bail.

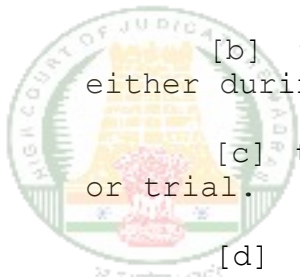
2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent. The respondent police is also present.

3.The case of the prosecution is the petitioners have illegally transported 3/4 unit river sand.

4. The learned Government Advocate (Crl.sde) submits that there is no previous case against the petitioner.

5. Considering the facts and circumstances of the case , I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Uthamapalayam, on condition that each of the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

<https://hcservices.eco.in.gov.in/hcservices/> The petitioners shall stay appear before the respondent police daily twice at 10.30 a.m and 6.00 p.m for a period of two weeks and thereafter, as and when required for interrogation.



[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioners are complying with the order or not.

sd/-
02/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
THENI.
3. THE SUB INSPECTOR OF POLICE
RAYAPPANPATTI POLICE STATION, THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.KARTHIK Advocate SR.No. 9794

SR : 03.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.3340 of 2015
Date :02/03/2015